



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT PLANNING AND DEVELOPMENT**

Application Number: 2400068

Applicant Name: Brittani Ard for Profile Homes

Address of Proposal: 1061 NE 88th St

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one (1) parcel into two (2) parcels of land. Proposed parcel sizes are: A) 5,839.4 square feet and B) 5,839 square feet. The existing principal structure located on the parent parcel is to be legally demolished. At the time of this decision there was one building permit related to this subdivision (located on proposed parcel A) Building Permit No 2400849 Permit No 741759.

The following approval is required:

- **Short Subdivision** - to subdivide one (1) existing parcel into two (2) parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving
another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The approximately 11,678 square foot rectangular shaped site is located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000), in the North Seattle area. The parcels to be subdivided are located between 12th Ave NE and Roosevelt Way NE, just south of NE 88th St.

Both proposed parcels have street frontage on NE 88th St. NE 88th St is paved with sidewalks, curbs and gutters on both sides of the street. 12th Ave NE which is a partially vacated (VO 114583) street abuts the site to the east. The current width of 12th Ave NE is 10'. Pursuant to SMC 23.86.002- "alley," is defined as: "... a public right-of-way not designed for general travel and primarily used as a means of vehicular and pedestrian access to the rear of abutting properties. An alley may or may not be named." In this case the former street meets the definition of an alley and is a public right-of-way.

Surrounding properties and blocks are zoned Single-Family 5000 (SF 5000). Development in the area consists of a variety of one, two-story single-family houses of varying age and architectural style on a variety of lot sizes, ranging in size from approximately 19,600– 6,300 sq. ft. The subject property abuts the northern property line of the Maple Leaf Reservoir.

Proposal

The proposal is to subdivide one (1) parcel of land into two (2) parcels. Proposed lot areas are indicated in the summary above. Proposed parcels A and B will have direct pedestrian access to NE 88th St. Vehicle access for proposed parcel A is to be via NE 88th St while vehicle access from proposed parcel B will be from the alley or otherwise known as 12th Ave NE.

The subject of this analysis and decision is only the proposed division of land.

Public Comment

During the public comment period which ended March 24th, 2004. DPD received eight (8) written comments related to parking, view blockage, traffic safety, potential uses of the parcels, access to the Maple Leaf reservoir and fitting the new development into the existing neighborhood feel.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the*

construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.

8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments from the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single family residential use with a minimum lot size of 5,000 square feet (SF 5000) or as provided in SMC 23.44.010-B1b. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwellings permitted within the principal structure in accordance with (SMC 23.44.041). Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, which ever is less. The minimum side yard setback is five (5) feet, except that proposed parcel B abuts an alley, and per SMC 23.44.014-C, “when the side yard of a lot borders on an alley, a single-family structure may be located in the required side yard, provided that no portion of the structure may cross the side lot line.” Minimum required rear yard is 25’. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning designation. The proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yards, lot coverage requirements, and other Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed parcel A will have direct vehicle access from NE 88th St, while proposed parcel B will have direct vehicle access from the alley (12th Ave NE), which is considered an alley. Since an improved alley abuts proposed parcel B, access shall be taken from it. The majority of the alley is paved and is 10’ wide, thus the alley is improved to the standards of SMC 23.53.030-C and the proposed Parcel B shall take access from it. The residence directly east of the proposed subdivision, 1205 NE 88th St also takes its vehicle access from the said alley. Also, both proposed parcels will have direct pedestrian access to NE 88th St. Parcel B will also have direct pedestrian access to the alley (12th Ave NE). The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on February 24th 2004 (WAC ID No. 2004-0180). The existing structures located upon proposed short plat is connected by means of a single sidesewer to an eight-inch diameter public combined sewer (PS) located in NE 88th St. The (PS) will be the appropriate point for stormwater discharge from any development upon the proposed short plat.

Stormwater detention, with controlled release to the (PS) in NE 88th St, is likely to be required for construction in excess of 2000sf developmental coverage. Plan review requirements will be made at time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project is greater than 5000 square feet of new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and 22.802.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision.

One point of concern is vehicle access to proposed parcel B. Specifically of concern is the proposed lot configuration in relation to the existing curb bulb (abutting proposed parcel B) and the traffic island that exists at the intersection of 12th Ave NE (alley) and NE 88th St. The curb bulb and traffic island currently serve as traffic calming elements to east and west traffic between 15th Ave NE and Roosevelt Way NE, which is mentioned several times in the received comment letters. If access were permitted from NE 88th St, the curb bulb would either need to be removed or the curbcut for proposed parcel B would need to be cut through the curb bulb. Either of these solutions would create a heightened safety concern and are not supported by the Department. Removing the curb bulb would result in higher speeds of vehicles along NE 88th St and as a result would not serve the public use or interest. If the curbcut were to be put directly into the curb bulb, this could create a possible safety hazard with the curbcut being located in close proximity to the intersection of NE 88th St and 12th Ave NE. As a result of the above analysis and analysis in section 2 above, access shall be taken from the alley (12th Ave NE) in order to avoid the two alternative access impacts discussed above.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

There are (11) trees located on proposed parcels A and B. Approximately six (6) of these trees are likely to be removed, depending upon the location any future construction, and the extent of the root systems and the overall health of the trees. Five (5) of the trees are located within the required rear yards of the proposed lots and can be preserved. Thus the proposal has been designed to maximize the retention of existing trees on the property. Future construction will be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This Short Subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This Short Subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and

accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.

2. Submit the final recording forms for approval and any necessary fees.
3. Make a note on the face of the plat stating that vehicle access to proposed parcel B shall be from the alley know as 12th Ave NE.

Prior to Transfer of Sale or Ownership

3. The existing structure straddling the property line shall be legally demolished.

Prior to Construction Applications

4. A copy of this short subdivision shall be attached to all related building permit applications or revisions.

Signature: _____ (signature on file) Date: May 27, 2004
Lucas DeHerrera, Land Use Planner
Department of Planning and Development
Land Use Services

LD:bg

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